

PJS:MJB:all

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SEBASTIAN RICHARDSON,</b>	:	<b>CIVIL NO. 3:cv-11-2266</b>
<b>Plaintiff</b>	:	
	:	<b>(Complaint Filed 12/7/11)</b>
	:	
<b>v.</b>	:	
	:	<b>(Nealon, J.)</b>
<b>BRYAN A. BLEDSOE, et al.,</b>	:	
<b>Defendants</b>	:	<b>Filed Electronically</b>

**BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE TO FILE  
A BRIEF IN EXCESS OF 15 PAGES/5,000 WORDS**

Defendants, by and through their counsel, hereby file this brief in support of their motion to exceed the 15-page/5,000-word limit, as provided in M.D. Pa. L.R. 7.8(b), in filing a brief in support of their Motion to Dismiss or for a More Definite Statement. In support thereof, Defendants aver the following:

This is a combined Bivens<sup>1</sup> and class action lawsuit brought by and through counsel for Sebastian Richardson, a federal prisoner who is currently incarcerated at the United States Penitentiary in Lewisburg, Pennsylvania ("USP Lewisburg"). On July 20, 2012, Plaintiff filed a motion for leave to amend the Complaint. The

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<sup>1</sup> Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971).

Court granted the motion on July 27, 2012, and accepted the Amended Complaint (Doc. 21.)

On August 13, 2012, Defendants filed a motion to dismiss the Amended Complaint or, alternatively, for a more definite statement. Defendants' brief in support of their Motion to Dismiss or, in the Alternative, for a More Definite Statement is currently due on or before August 27, 2012.

The local rules of this Court state that no brief shall exceed 15 pages in length; however, a brief may exceed 15 pages provided that it does not exceed 5,000 words. M.D. Pa. L.R. 7.8(b)(1) and (2). The Rule further states that leave of the Court must be requested to file a brief in excess of these limits, and that a motion seeking leave to file a brief which exceeds these limits must be filed at least two working days before the brief is due. M.D. Pa. Local Rule 7.8(b)(3).

In the instant case, Defendants' brief must address numerous allegations against the defendants and present numerous legal arguments to support their motion to dismiss the Amended Complaint. In addition, Defendants must set forth all the reasons why the Court should, alternatively, direct Plaintiff to file a more definite statement of the claims. In addition, Defendants must address Plaintiff's request for class action certification. It is not possible to set forth all of the relevant facts and fully address each of Plaintiff's claims and Defendants' defenses

to them, as well as setting forth arguments for a more definite statement and against class certification, in a 15-page/5,000-word response. Accordingly, Defendants seek leave of Court to exceed these limitations.

Defendants submit that they will be able to properly address each of Shelton's claims in a brief which is no longer than 35 pages in length. Plaintiff will not be prejudiced by the granting of this motion; indeed, granting this motion should assist him in understanding all of Defendants' arguments in support of their dispositive motion.

WHEREFORE, Defendants request this Court to grant them leave to file a brief in support of their Motion to Dismiss or, in the Alternative, for a More

Definite Statement which is in excess of 15 pages/5,000 words, not to exceed 35 pages.

Respectfully submitted,

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Date: August 23, 2012

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SEBASTIAN RICHARDSON,</b>	:	<b>CIVIL NO. 3:cv-11-2266</b>
<b>Plaintiff</b>	:	
	:	<b>(Complaint Filed 12/7/11)</b>
	:	
<b>v.</b>	:	
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<b>BRYAN A. BLEDSOE, et al.,</b>	:	
<b>Defendants</b>	:	<b>Filed Electronically</b>

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on August 23, 2012, she served a copy of the attached

**BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE  
A BRIEF IN EXCESS OF FIFTEEN PAGES/5,000 WORDS**

via the Court's Electronic Case Filing System ("ECF") and that the Addressee(s) listed below are filing users under the ECF system. Upon the electronic filing of a pleading or other document, the ECF system will automatically generate and send a Notice of Electronic Filing to all filing users associated with this case. Electronic service by the Court of the Notice of Electronic Filing constitutes service of the filed document, and no additional service upon the filing user is required.

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